



U.S. Department of Justice

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July 30, 2024

The Honorable Yvonne Gonzalez Rogers
United States District Judge
Northern District of California

**Re: California Coalition for Women Prisoners v. U.S. Bureau of Prisons
Case No. 4:23-cv-4155-YGR**

Response to July 26, 2024 Order

Your Honor:

On July 26, 2024, the Court ordered the United States Attorney's Office for the Northern District of California to provide its position on the potential unsealing of certain documents in the above captioned civil matter that may pertain to ongoing criminal investigations. Dkt. No. 354.

This office is recused from the above captioned matter. Accordingly, this Office has neither shared nor discussed with the U.S. Attorney's Office for the District of Montana any information, documents, or materials relating to this Office's ongoing criminal investigations involving FCI Dublin. To the extent documents filed in this civil case purport to identify specific individuals and/or specific investigations into sexual abuse or other misconduct, such documents do not reflect the existence or status of any criminal investigation into those individuals or matters by this Office.

We further note that Department of Justice regulations prohibit this Office from commenting on pending investigations. *See* U.S. Justice Manual 1-7.400 ("Except as provided in subparagraph C of this section, DOJ personnel shall not respond to questions about the existence of an ongoing investigation or comment on its nature or progress before charges are publicly filed."). One reason for this is to protect the integrity of ongoing investigations. Another is to safeguard the reputational and privacy interests of individuals who have not been indicted and therefore lack a forum in which to prove their innocence at trial. *See Times Mirror Co. v. United States*, 873 F.2d 1210, 1216 (9th Cir. 1989) (upholding continued sealing of search warrant in part because public disclosure would damage privacy interests because individuals named therein would have "no forum in which to exonerate themselves if the warrant materials are made public before indictments are returned").

For these reasons, this Office takes no position regarding whether documents in this case should be unsealed.

Very truly yours,

ISMAIL J. RAMSEY
United States Attorney

/s/ Andrew Paulson

ANDREW PAULSON
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